
BILL NO: House Bill 626
TITLE: Pregnant Persons Freedom Act
COMMITTEE: Health & Government Operations
HEARING DATE: March 11, 2022
POSITION: **FAVORABLE WITH AMENDMENTS**

The Women's Law Center of Maryland is a non-profit legal services and advocacy organization dedicated to ensuring the physical safety, economic security, and bodily autonomy of women in Maryland. While our direct representation projects are limited primarily to survivors of domestic violence, our advocacy is in support of gender justice as a whole, because all women are entitled to access to justice, equality, and autonomy. We recognize that all the issues we fight for are interconnected. Women cannot have bodily autonomy unless they have physical safety. They cannot have physical safety without economic security. And they cannot have economic security without bodily autonomy.

As we have seen in states like Texas, it is not only abortion providers who are under attack in our country, but also those who seek out abortion care or assist those in their efforts. HB 626 has four main provisions:

- 1) a pregnant person is not liable for civil damages or subject to criminal investigation or penalty for terminating or attempting to terminate the person's own pregnancy under any circumstances;
- 2) the state does not have the authority to criminally investigate or penalize a pregnant person who has experienced a miscarriage, perinatal death related to a failure to act, or stillbirth;
- 3) a person is not subject to criminal penalties or civil damages for aiding, informing, or in any way assisting a pregnant person in terminating or seeking to terminate the person's pregnancy;
- 4) a person may bring a cause of action for damages if the person was subject to unlawful arrest or criminal investigation for a violation of these provisions.

Given the shortage of abortion providers in the country and the burdensome restrictions that prevent women from accessing abortion care, those seeking abortions are turning more frequently to self-managed abortion care – in other words, they are turning to medication outside of a clinical setting. And they are at risk of prosecution. So too are women who miscarry either due to accidents or substance addiction. Overwhelmingly, those who are prosecuted in these types of cases are low-income women, and predominantly women of color. This legislation would prevent this inhumane practice and ensure that we are not criminalizing people for having an abortion or suffering a miscarriage.

The Women's Law Center would, however, like to offer a friendly amendment to ensure that pregnant individuals are aware of their rights and protections under this law. As such, we would respectfully propose additional language to the bill that would require the Department of Health to publish, clearly and in a manner that is easily accessible, information regarding these protections on their website.

For these reasons, the Women's Law Center urges a favorable report on House Bill 626.

The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.